SW-02361A-05-0657



# ARIZONA CORPORATION COMMISSION

## **UTILITY COMPLAINT FORM**

Investigator: Deb Reagan Phone: 3

Opinion

No. 2006 - 53106

**Priority: Respond Within Five Days** 

Date: 6/20/2006

Fax:

**Complaint Description:** 

08A Rate Case Items - Opposed

First:

Last:

Complaint By:

N. Stewart

Rogers

**Account Name:** 

N. Stewart Rogers

Zip: 98033

Home:

Street:

Work:

City: State:

WA

CBR: is:

Utility Company.

**Black Mountain Sewer Corporation** 

Division:

sewer

**Contact Name:** 

Mike Weber

Contact Phone:

Nature of Complaint:

\*\*\*\*\*SW-02361A-05-0657\*\*\*\*\*

Received the following correspondence -

The Arizona Corporation Commission **Utilities Division** 1200 West Washington St Phoenix, AZ 85007

Re: Black Mountain Sewer Co Rate Request.

S

Ladies and Gentlemen:

I understand that representatives of the Boulders Homeowners Assn. testified in opposition to the subject rate request on June 7, 2006. I am writing to support their position.

I have owned the property for over 25 years, and in recent years have had recurring sewer odor problems at the sewer plant and at the manholes in the vicinity of Boulder Drive and Quartz Valley Rd. I understand there are other areas with similar problems, but I will confine my remarks to this one.

Over the past few years there have been studies, discussions, proposals, and more discussions. Actions have also been taken, but none of this has provided a solution to the odors. They continue to occur periodically.

As I understand it, the function of the Corporation Commission is to provide for "fair" rates in the absence of a competitive market for utility services. Implicit in that rate making authority is a duty to provide the competitive pressure for quality service which the consumers (with no alternative source available) cannot supply. "Fair", after all implies an equality for users, as well as for providers. Black Mountain Sewer Co seems focused on having their effluent meet state requirements, but they seem to have little or no concern for customer satisfaction.

4700

### UTILITY COMPLAINT FORM

As I understand it, we are now paying among the highest (if not the highest) sewer rates in Arizona. Yet our service is far from good and many of us feel that the continued odor problems have affected our enjoyment of our properties, as well as the values of our real estate.

It seems to me that increases in rates, particularly one as large as requested here, should have, as one element of consideration, the quality of customer service. The requested increases are inappropriate unless and until the utility responds to the long standing problems with a demonstrated "fix".

You may have the only leverage to require that "fix". USE it!

Sincerely,

N. Stewart Rogers

CC: Boulder H.O.A. \*End of Complaint\*

### **Utilities' Response:**

# **Investigator's Comments and Disposition:**

Responded to customer with the following -

Dear Mr. Rogers:

Your letter regarding the Black Mountain Sewer Company rate case will be placed on file with the Docket Control Center of the Arizona Corporation Commission to be made part of the record. The Commission will consider your comments before a decision is rendered in the Company's application.

The concerns raised in letters received from customers will assist the Commission in the investigation and review of the rate application. The Commission's independent analysis of the utility and its rate request attempts to balance the interest of the utility and its customers.

Commission Staff is very sensitive to the burden that high utility rates can place on the consumer, and though constitutionally required to allow a fair return to the utility, does everything within its authority to protect the consumer.

Staff appreciates your comments and the interest taken on the proposed rate increase. If you should have any questions relating to this issue, please call me at

Sincerely,

Deborah Reagan
Public Utilities Consumer Analyst
Utilities Division
\*End of Comments\*

Date Completed: 6/20/2006

### UTILITY COMPLAINT FORM

Investigator: Carmen Madrid

Phone: (

Fax:



Priority: Respond Within Five Days

Opinion

No. 2006 - 53115

Date: 6/20/2006

Home: (000) 000-0000

**Complaint Description:** 

08A Rate Case Items - Opposed

First:

Last:

Complaint By:

David

Eller

**Account Name:** 

David Eller

Street:

Work: (000) 000-0000

City:

State:

CBR:

is:

Utility Company.

**Black Mountain Sewer Corporation** 

Division:

sewer

Contact Name:

n/a

Contact Phone: n/a

# Nature of Complaint:

Docket Control #2361A-05-0657 Consumer Services Division Arizona Corporation Commission **Utilities Division** 1200 West Washington Phoenix AZ 85007

12 June, 2006

ATTN: Ms. Carmen Madrid

This letter is written in reference to your proposed rate increase for Black Mountain Sewer Corp. The stench that has wafted throughout the Boulders Community over the past years is absolutely unacceptable for your vision of the 21st century. There is no excuse for these conditions which usually are found in third world nations. Rather than proposing a rate increase you owe ALL your customers a CREDIT for tolerating this ridiculous mess. Your PRIMARY obligation is to your CUSTOMERS and then you can explain to your beloved shareholders that your professional (?) management decisions dangle somewhere precariously between stupid and incompetent. If you are unable to provide the service that we pay for and do NOT receive then you should sell the business to someone who can.

Sincerely,

David P. Eller

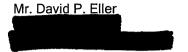
End of Complaint\*

**Utilities' Response:** 

Investigator's Comments and Disposition:

## UTILITY COMPLAINT FORM

June 20, 2006.



Dear Mr. Eller,

My name is Carmen Madrid and I am a Public Utility Consumer Analyst with the Arizona Corporation Commission.

Your letter regarding the Black Mountain Sewer Company application for a rate increase has been received. Your opinion will be filed in docket no. SW-02361A-05-0657 and made a part of the official docket. The Commissioners and staff members in this matter will all receive a copy of your opinion.

If you should have any questions you may contact Consumer Services at 602-542-4251.

Sincerely,

Carmen Madrid
Public Utility Consumer Analyst
\*End of Comments\*

Date Completed: 6/20/2006

5W-02361A-05-0657

# ARIZONA CORPORATION COMMISSION

### UTILITY COMPLAINT FORM

Investigator: Carmen Madrid

Phone:

Fax:

**Priority: Respond Within Five Days** 

Opinion

No. 2006 - 53126

Date: 6/20/2006

**Complaint Description:** 

08A Rate Case Items - Opposed

First:

Last:

Complaint By:

Jane & Warren

Stimpson

**Account Name:** 

Jane & Warren Stimpson

Home: (000) 000-0000

Street:

Work: (000) 000-0000

City:

CBR:

State:

Zip:

is:

**Utility Company.** 

**Black Mountain Sewer Corporation** 

Division:

sewer

**Contact Name:** 

n/a

ΑZ

Contact Phone: n/a

**Nature of Complaint:** 

Arizona Corporation Commission Consumer Services Division Utilities Division 1200 West Washington Street Phoenix, AZ 85007 June 15, 2006

Docket Control #SW-02361A-05-0657

RE: Black Mountain Sewer Company Request For increase

Dear Members Arizona Corporation Commission:

The Black Mountain Sewer treatment plant facility is located in the heart of our Boulders Resort residential area. While we are fortunate to have purchased our home a considerable distance from the plant, we are still very much adversely affected by the operation of this antiquated system.

The BMSC vactor trucks haul sewage along our private streets, and are sometimes parked along the way as they attempt to alleviate the noxious odors that emanate from their lines. Many times the noise from the equipment is loud, and along with the odors makes it impossible for neighbors to enjoy the outdoor living areas for which Arizona is so proud.

The odors from this system have been described to you in great detail by Boulders residents, but others are also affected by the unpleasant smells. For example, the golfers who pay a great deal of money for the privilege of playing on our courses, and the clients at the Golden Door Spa, where the employees have tried to mask the smells with eucalyptus oils. This is a little like Barry Bonds spraying himself with Chanel #5 instead of taking a shower. Odors permeate the restaurants and the clubhouse as well as the very air outside. The incidences of open areas of raw sewage can only be a major health problem.

We are sure you have heard all about the "band-aid" type approach used by BMSC in an attempt to alleviate the

#### UTILITY COMPLAINT FORM

problems we have here at the Boulders. Now BMSC is asking for a large rate increase, while we who have been paying one of the highest rates in the state still have no assurance there will be any improvement in the service we receive for our money.

We urge you to disallow this rate increase until such time that BMSC can prove by their performance that they have the expertise and resources to provide quality odor free service to our rapidly growing community.

JANE STIMPSON WARREN STIMPSON, President Boulders Homeowners Association \*End of Complaint\*

## **Utilities' Response:**

# **Investigator's Comments and Disposition:**

6/20/06 Opinion noted and filed in docket no. SW-02361A-05-0657. closed

June 20, 2006.

Jane Stimpson Warren Stimpson

Dear Mr. and Mrs. Stimpson,

My name is Carmen Madrid and I am a Public Utility Consumer Analyst with the Arizona Corporation Commission.

Your letter regarding the Black Mountain Sewer Company application for a rate increase has been received. Your opinion will be filed in docket no. SW-02361A-05-0657 and made a part of the official docket. The Commissioners and staff members in this matter will all receive a copy of your opinion.

If you should have any questions you may contact Consumer Services at 602-542-4251.

Sincerely,

Carmen Madrid
Public Utility Consumer Analyst
\*End of Comments\*

Date Completed: 6/20/2006

### UTILITY COMPLAINT FORM

Investigator: Carmen Madrid

Phone: (



Work: (000) 000-0000



**Priority: Respond Within Five Days** 

**Opinion** 

No. 2006 - 53119

Date: 6/20/2006

Complaint Description:

08A Rate Case Items - Opposed

First:

Last:

Complaint By:

Norman H.

McMillan

**Account Name:** 

Norman H. McMillan

Street:

Home: (000) 000-0000

CBR:

City:

State:

ΑZ

Zip:

<u>is:</u>

**Utility Company.** 

**Black Mountain Sewer Corporation** 

Division:

Contact Name:

n/a

Contact Phone: n/a

Nature of Complaint:

June II. 2006

Consumer Services Division Commission 1200 West Washington St. Phoenix, Az 85007

Ladies and Gentlemen:

I am writing to comment on the Black Mountain Sewer Company's intention to expand its service in the Carefree area.

I am a resident of Carefree, specifically a sixteen year resident at 2047Smoketree Road. Before that I lived and worked in a variety of locations around the country -- Minneapolis, Austin, MN. Philadelphia, Marin County, CA, Chicago. I list those locations to make a simple point.

I never gave the sewer system a thought while living there. I only became knowledgeable about sewers while living in Carefree.

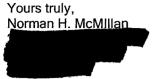
The reason, of course, is because this is the only place I have lived where the smell of sewer gas is a constant concern, and a frequent reality. It is also a threat to the value of an important asset, our home. It is hard to sell a house under those circumstances.

This is the reason we oppose the expansion of the Black Mountain service area. We want them to take care of the facilities they already operate, to fix the problems they have before going on. I will be enthused about their expansion, after they solve the problems they now have. Right now I am firmly opposed.

I want to go back to ignoring the sewer system because it functions the way it is supposed to. That is why I am writing today.

I hope you will support our position and that of the other residents in our area.

## UTILITY COMPLAINT FORM



\*End of Complaint\*

**Utilities' Response:** 

# **Investigator's Comments and Disposition:**

6/20/06 Opinion noted and filed in docket no. SW-02361A-05-0657. closed

June 20, 2006.

Norman H. McMillan

Dear Mr. McMillan,

My name is Carmen Madrid and I am a Public Utility Consumer Analyst with the Arizona Corporation Commission.

Your letter regarding the Black Mountain Sewer Company application for a rate increase has been received. Your opinion will be filed in docket no. SW-02361A-05-0657 and made a part of the official docket. The Commissioners and staff members in this matter will all receive a copy of your opinion.

If you should have any questions you may contact Consumer Services at 602-542-4251.

Sincerely,

Carmen Madrid
Public Utility Consumer Analyst
\*End of Comments\*

Date Completed: 6/20/2006

### UTILITY COMPLAINT FORM

Investigator: Carmen Madrid

Phone:



Fax: (

Work: (000) 000-0000



**Priority: Respond Within Five Days** 

Opinion

No. 2006 - 53118

Date: 6/20/2006

Complaint Description:

08A Rate Case Items - Opposed

First:

Last:

Complaint By:

John

Account Name:

John Roberson

Roberson

Street:

Home: (000) 000-0000

City:

State:

ΑZ

Zip: §

CBR: is:

**Utility Company.** 

**Black Mountain Sewer Corporation** 

Division:

sewer

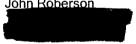
Contact Name:

n/a

Contact Phone: n/a

Nature of Complaint:

John Roberson



June 14, 2006

Consumer Services Division Arizona Corporation Commission **Utilities Division** 1200 West Washington Street Phoenix, AZ 85007

re: Docket Control # 02361A-05-0657

Dear Ms. Madrid:

Have you ever been to Cairo, in Egypt? If so, you will know how parts of the Boulders subdivision in Carefree smells. The reek of open drains is unmistakable.

Black Mountain Sewer has refused for years to correct this problem. Our timid Homeowners Association should have sued them long ago. That BMS has filed for an enormous rate increase is simply ridiculous in the light of their horrible performance. How can BMS be in compliance with state regulations if their parts of the Boulders stink? Apparently they say they are too broke to fix the smell; if so, aren't they too broke to operate the utility? When you run out of things to do drive out and get a whiff of our supposedly high end subdivision. It will take your breath a way.

\*End of Complaint\*

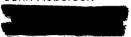
## **Utilities' Response:**

Investigator's Comments and Disposition:

## **UTILITY COMPLAINT FORM**

June 20, 2006.

John Roberson



Dear Mr. Roberson.

My name is Carmen Madrid and I am a Public Utility Consumer Analyst with the Arizona Corporation Commission.

Your letter regarding the Black Mountain Sewer Company application for a rate increase has been received. Your opinion will be filed in docket no. SW-02361A-05-0657 and made a part of the official docket. The Commissioners and staff members in this matter will all receive a copy of your opinion.

If you should have any questions you may contact Consumer Services at 602-542-4251.

Sincerely,

Carmen Madrid
Public Utility Consumer Analyst
\*End of Comments\*

Date Completed: 6/20/2006